

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VISHVA DESAI and PHILIP J. CHARVAT
on behalf of themselves and others similarly
situated,

Plaintiffs,

vs.

ADT Security Services, Inc.,

Defendant/Third Party

Plaintiff,

v.

PETE TOLMAN, LEADS DIRECT
MARKETING, VOICE TEL CORP.,
CHRISTOPHER LONG, EMI, INC., CITY
VIP, LLC, JMB ENTERPRISES, DIRECT
SAVINGS USA, INC., OSCAR
MONTENEGRO, EVERSAFE
SECURITY SYSTEMS, INC., SAFE
STREETS USA, LLC, PARAMOUNT
MEDIA GROUP, THE ELEPHANT GROUP,
INC., and UNKNOWN JOHN DOE
DEFENDANTS I THROUGH XX,

Third-Party Defendants,

SAFE STREETS USA, LLC, SUCCESSOR
BY MERGER TO EVERSAFE SECURITY
SYSTEMS, INC.,

Fourth-Party Plaintiff,

v.

DIRECT SAVINGS USA, LLC,

Fourth-Party Defendant.

Case No: 1:11-cv-1925

Judge Bucklo

Magistrate Judge Keys

ADT'S MOTION TO FILE DOCUMENTS UNDER SEAL

Third-Party Plaintiff, ADT Security Services, Inc. (“ADT”), moves the Court pursuant to Local Rule 26.2 for an order granting it leave to file under seal the Declaration of Hannah S. Lim, including Exhibit A and Exhibit B attached thereto, that was submitted in support of ADT’s Motion for an Award of Fees and Interest, and in support states as follows:

1. On October 3, 2011, the Court entered a Stipulated Confidential Agreement and Protective Order (the “Protective Order”) governing the treatment of Confidential Discovery Material. Dkt. ## 102, 103. The Protective Order defines Confidential information as “(1) information that constitutes a trade secret as defined under applicable case law; (2) personally identifiable information as to consumers; and (3) any other information that may be properly designated confidential pursuant to Fed. R. Civ. P. 26, and applicable case law.” *Id.* at ¶ A.3.

2. The Protective Order provides that “No Party shall file any Confidential Discovery Material with the Court, or refer to the confidential substance of the Confidential Discovery Material in any filings with the Court, unless that Party has first obtained an Order permitting the document containing or referring to Confidential Discovery Material to be filed under seal. Unless absolutely necessary, no Party shall quote from or otherwise disclose Confidential Discovery material in any document to be filed in court. Parties that wish to refer to the substance of Confidential Discovery Material in a pleading, motion or other submission, or attached Confidential Discovery Materials to a leading, motion or other submission, must file a motion for leave to file the material under seal within 14 days of filing the pleading, motion or other submission. Parties who have not yet obtained an order permitting the material to be filed under seal may file a redacted copy of all documents, redacting all Confidential Discovery Material or references to Confidential Discovery Material.” *Id.* at ¶ J.1.

3. The Declaration of Hannah S. Lim and its Exhibit A and Exhibit B contain sensitive financial information. That information was designated as Confidential under the Protective Order, and ADT has and intends to continue to maintain this information as such.

4. Together with this motion, ADT is filing redacted versions of Exhibit A and Exhibit B to the Declaration of Hannah S. Lim. ADT will serve Confidential versions of Exhibit A and Exhibit B to the Declaration of Hannah S. Lim on The Elephant Group's counsel of record, and will deliver courtesy copies of the same to the Court

WHEREFORE, ADT respectfully asks that this Court grant it leave to file under seal the Declaration of Hannah S. Lim, including Exhibit A and Exhibit B attached thereto, and for any further relief that the Court finds just and equitable.

Dated: April 22, 2015

Respectfully submitted,

/s/ Mark T. Deming
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Attorneys for ADT Security Services, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that on April 22 2015, the foregoing was filed with the Court's CM/ECF system, notice of which was sent to all counsel of record by the Court's CM/ECF system.

/s/Mark T. Deming